

OFFICE OF THE FEDERAL PUBLIC DEFENDER

DISTRICT OF THE VIRGIN ISLANDS

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March 27, 2025

AUSA Michael Conley
United States Attorney's Office
5500 Veteran's Drive, Room 260
Saint Thomas, VI 00802-6424
VIA EMAIL

Re: *United States v. Richardson Dangleben, Jr.*, Crim. Case No. 23-072-RAM-GAT

Dear Attorney Conley:

In response to your March 24, 2025, email, Allison Miller and I would like to meet with the AG's Capital Case Review Committee on Monday, April 28, 2025. In accepting the invitation to meet with the Committee, we wish to clarify that we reject the premise that it is possible for the Government to reverse the decision it made on February 7, 2024 not to seek the death penalty in this case. There is no path forward that allows the Government to seek the death penalty now. The Court's deadline for a notice of intent to seek the death penalty passed over a year ago, and the government affirmatively complied with that deadline by filing a no-seek notice. As has been argued in our pleadings, as well as in court, Mr. Dangleben relied on the representations of the Government that it was not seeking the death penalty, and because Mr. Dangleben detrimentally relied on those representations, the Government is now estopped from seeking the death penalty. That said, open communication and dialogue between adversarial parties is always advantageous, especially in these types of cases; we just wanted it to be abundantly clear that our participation in this process should not be viewed as a waiver or forfeiture of our previously pled arguments.

Because your office assured us this was a non-capital case from the outset, we never retained a mitigation specialist or undertook a mitigation investigation.¹ Furthermore, as you are aware, Ms. Miller was appointed as learned counsel a month ago, on February 24, 2025. Accordingly, we have no traditional mitigation presentation prepared and insufficient time to develop one between now and April 28th.

¹ As you will recall, we spoke between the filing of the indictment and the arraignment, and you represented that your office would not be recommending the death penalty. I inquired whether anything was needed from me in making that decision by way of mitigation and you answered no.



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While we maintain that this case is and legally must remain a non-capital case, we agree to meet with the Attorney General's Capital Case Review Committee in Washington, D.C. Please let me know if April 28, 2025 is acceptable for the meeting. Thank you.

Sincerely,

s/Matt Campbell

Matt Campbell

Federal Public Defender,

District of the Virgin Islands

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